

the Commission hereby certifies that the proposed rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. Therefore, a regulatory flexibility analysis is not required.

#### Backfit Analysis

The proposed changes are intended to clarify the intent of the existing rule and facilitate greater flexibility in licensees' conduct of off-year emergency response training activities; but this action does not seek to impose any new or increased requirements in this area. The proposed changes would permit, but not require, licensees to change their existing emergency plans and procedures to employ scenarios in off-year training or drills that do not go to severe core damage or result in offsite exposures. No backfitting is intended or approved in connection with this proposed rule change.

#### List of Subjects in 10 CFR Part 50

Antitrust, Classified information, Criminal penalties, Fire protection, Intergovernmental relations, Nuclear power plants and reactors, Penalties, Radiation protection, Reactor siting criteria, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; and 5 U.S.C. 553; the NRC is proposing to adopt the following amendments to 10 CFR Part 50.

### PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

1. The authority citation for Part 50 continues to read as follows:

Authority: Secs. 102, 103, 104, 105, 161, 182, 183, 186, 189, 68 Stat. 936, 937, 938, 948, 953, 954, 955, 956, as amended, sec. 234, 83 Stat. 1244, as amended (42 U.S.C. 2132, 2133, 2134, 2135, 2201, 2232, 2233, 2236, 2239, 2282); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

2. In § 50.47, paragraph (a)(1) is revised to read as follows:

#### § 50.47 Emergency plans.

(a)(1) Except as provided in paragraph (d) of this section, no initial operating license for a nuclear power reactor will be issued unless a finding is made by the NRC that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. No finding under this section is necessary

for issuance of a renewed nuclear power reactor operating license.

3. Appendix E to part 50 is amended by revising section IV.F., paragraphs 2.b., and e. to read as follows:

#### Appendix E to Part 50—Emergency Planning and Preparedness for Production and Utilization Facilities

##### IV. Content of Emergency Plans

##### F. Training

2. \* \* \*

b. Each licensee at each site shall conduct an exercise of its onsite emergency plan every two years. The exercise may be included in the full participation biennial exercise required by paragraph 2.c. of the section. In addition, the licensee shall take actions necessary to ensure that adequate emergency response capabilities are maintained during the interval between biennial exercises by conducting drills, including at least one drill involving a combination of some of the principal functional areas of the licensee's onsite emergency response capabilities. The principal functional areas of emergency response include such activities as management and coordination of emergency response, accident assessment, protective action decisionmaking, and plant system repair and corrective actions. During these drills, activation of all of the licensee's emergency response facilities (TSC, OSC, and EOF) would not be necessary, licensees would have the opportunity to consider accident management strategies, supervised instruction would be permitted, operating staff would have the opportunity to resolve problems (success paths) rather than have controllers intervene, and the drills could focus on onsite training objectives.

e. Licensees shall enable any State or local government located within the plume exposure pathway EPZ to participate in the licensee's drills when requested by such State or local government.

Dated at Rockville, Maryland, this 7th day of April, 1995.

For The Nuclear Regulatory Commission.  
John C. Hoyle,  
*Secretary of the Commission.*  
[FR Doc. 95-9222 Filed 4-13-95; 8:45 am]  
BILLING CODE 7590-01-P

### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Parts 119, 121, 125, 127 and 135

#### Forum With the Administrator and Deputy Administrator; Public Meeting on Commuter Operations and General Certification and Operations

AGENCY: Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of public meeting and forum with the Administrator and Deputy Administrator.

**SUMMARY:** The FAA is issuing this notice to advise the public of an open forum with the Administrator and Deputy Administrator. Later on the same day the FAA will hold a public meeting on the notice of proposed rulemaking, Commuter Operations and General Certification and Operations, published in the Federal Register on March 29, 1995 [60 FR 16230]. The purpose of these meetings is to provide an opportunity for the public to comment on regulatory aviation issues in general and specifically on the commuter rulemaking.

**DATES:** The meetings will be held on May 18, 1995, beginning at 9:30 a.m. Meeting times are as follows:

9:30 a.m.–11:00 a.m.—Open forum with the Administrator and Deputy Administrator  
1:00 p.m.—Public meeting on the commuter NPRM.

**ADDRESSES:** The meeting will be held in Anchorage, Alaska, at the Loussac Library, 3600 Denali Street, Assembly Chambers, Level 1.

Persons unable to attend any of the meetings may mail their comments in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Rules Docket (AGC-200), Docket No. 28154, 800 Independence Avenue NW., Washington, DC 20591.

**FOR FURTHER INFORMATION CONTACT:** Requests to present a statement at the public meeting on the commuter NPRM or questions regarding the logistics of the meeting should be directed to Linda Williams, Federal Aviation Administration, Office of Rulemaking (ARM-109), 800 Independence Avenue SW., Washington, DC 20591, telephone (202) 267-9685; fax (202) 267-5075, or Sandra Paxton, Federal Aviation Administration, Alaska Region Headquarters (AAL-1), 222 West 7th Avenue, #14, Anchorage, AK 99533, telephone: (907) 271-5645.

Questions concerning the subject matter of the public meeting on the commuter NPRM should be directed to Katherine Hakala, Flight Standards Service (AFS-250), Federal Aviation Administration, 800 Independence Avenue, Washington, DC 20591. Telephone: (202) 267-8137.

#### SUPPLEMENTARY INFORMATION:

##### Background

President Clinton has set a goal of re-inventing the regulatory process and making major improvements in the way it serves the American people. The

Administrator has made a commitment to establish stronger partnerships with the individuals, businesses, and other entities that government regulations impact. To fulfill this commitment, the FAA has planned a series of forums throughout the United States in which the Administrator and Deputy Administrator will listen to the regulated community, the traveling public, and the people responsible for ensuring compliance so that they can work together to achieve compliance. As indicated in the planned agenda, the first portion of the May 18 meeting will be an open forum with the Administrator and Deputy Administrator. Interested persons may comment on a variety of issues important to them. The FAA would be particularly interested in hearing what actions in our mutual relationship work well and which ones do not.

Following the forum with the Administrator and Deputy Administrator, the FAA will conduct a public meeting, beginning at 1:00 p.m., on the recently published commuter proposed rule. Comments from the public on this meeting should be directed specifically to the proposed rule.

The notice of proposed rulemaking was published in the Federal Register on March 29, 1995. If adopted, the proposed rule would require certain commuter operators that now conduct operations under part 135 to conduct those operations under part 121. The commuter operators that would be affected are those part 135 operators conducting scheduled passenger-carrying operations in airplanes that have a passenger-seating configuration of 10 to 30 seats and those conducting scheduled passenger-carrying operations in turbojets regardless of seating configuration. The proposed rule would revise the requirements concerning operating certificates and operations specifications. The rule would also propose certain management officials for all operators under parts 121 and 135.

The closing date for comments on the proposal is June 27, 1995. To give the public an additional opportunity to comment on the proposed rule the FAA is planning this public meeting. Other meetings may be planned at various locations.

Persons interested in obtaining a copy of the proposed commuter rule should contact Linda Williams at the address or telephone number provided in **FOR FURTHER INFORMATION CONTACT**.

#### *Participation at the Public Meeting on the Commuter NPRM*

Requests from persons who wish to present oral statements at the public meeting on the commuter NPRM should be received by the FAA no later than May 5, 1995. Such requests should be submitted to Linda Williams as listed in the section titled **FOR FURTHER INFORMATION CONTACT** and should include a written summary of oral remarks to be presented and estimated time needed for the presentation. Requests received after the date specified above will be scheduled if time is available during the meeting; however, the name of those individuals may not appear on the written agenda. The FAA will prepare an agenda of speakers that will be available at the meeting. To accommodate as many speakers as possible, the amount of time allocated to each speaker may be less than the amount of time requested.

#### *Public Meeting Procedures*

The following procedures are established to facilitate the public meeting on the commuter NPRM:

1. There will be no admission fee or other charge to attend or to participate in the public meeting. The meeting will be open to all persons who have requested in advance to present statements or who register on the day of the meeting (between 12:30 p.m. and 1:00 p.m.) subject to availability of space in the meeting room.

2. The public meeting may adjourn early if scheduled speakers complete their statements in less time than currently is scheduled for the meeting.

3. The FAA will try to accommodate all speakers; therefore, it may be necessary to limit the time available for an individual or group.

4. Participants should address their comments to the panel. No individual will be subject to cross-examination by any other participant.

5. Sign and oral interpretation can be made available at the meeting, as well as an assistive listening device, if requested 10 calendar days before the meeting.

6. Representatives of the FAA will conduct the public meeting. A panel of FAA personnel involved in this issue will be present.

7. The meeting will be recorded by a court reporter. A transcript of the meeting and any material accepted by the panel during the meeting will be included in the public docket (Docket No. 28154). Any person who is interested in purchasing a copy of the transcript should contact the court reporter directly. This information will be available at the meeting.

8. The FAA will review and consider all material presented by participants at the public meeting. Position papers or material presenting views or information related to the proposed NPRM may be accepted at the discretion of the presiding officer and subsequently placed in the public docket. The FAA requests that persons participating in the meeting provide 10 copies of all materials to be presented for distribution to the panel members; other copies may be provided to the audience at the discretion of the participant.

9. Statements made by members of the public meeting panel are intended to facilitate discussion of the issues or to clarify issues. Because the meeting concerning the commuter NPRM is being held during the comment period, final decisions concerning issues that the public may raise cannot be made at the meeting. FAA officials will, however, ask questions to clarify statements made by the public and to ensure a complete and accurate record. Comments made at this public meeting will be considered by the FAA when deliberations begin concerning whether to adopt any or all of the proposed rules.

10. The meeting is designed to solicit public views and more complete information on the proposed rule. Therefore, the meeting will be conducted in an informal and nonadversarial manner.

Issued in Washington, DC, on April 11, 1995.

Thomas C. Accardi,

Director, Flight Standards Service.

[FR Doc. 95-9387 Filed 4-12-95; 1:17 pm]

BILLING CODE 4910-13-M

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## **SOCIAL SECURITY ADMINISTRATION**

### **20 CFR Parts 404 and 416**

**RIN 0960-AE10**

#### **Administrative Review Process, Prehearing Proceedings and Decisions by Attorney Advisors**

**AGENCY:** Social Security Administration.

**ACTION:** Proposed rule.

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**SUMMARY:** We propose to amend our regulations to provide, on a temporary basis, that in claims for Social Security or Supplemental Security Income (SSI) benefits based on disability, attorney advisors in our Office of Hearings and Appeals (OHA) will have authority to conduct certain prehearing proceedings, and where the record developed as a result of these proceedings warrants, to